

Amend the remaining claims and add new claims as follows:

11. (Amended) [The] A heterocyclic compound [of claim 10, wherein the compound of the formula (IIa) is] selected from the group consisting of:

[(1) N-(1-hexyl-5-carboxyethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,]

(1) N-(1-hexyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,

(2) N-(1-heptyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,

(3) N-(1-octyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,

(4) N-(1-nonyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,

(5) N-(1-decyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,

(6) N-(1-undecyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide, and

(7) N-(1-dodecyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,

[(8) N-(1-hexyl-5-hydroxymethyl-6-methylindolin-7-yl)-2,2-dimethylpropanamide,

(9) N-(1-hexyl-5-hydroxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,

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(10) N-(1-heptyl-5-hydroxymethyl-6-methylindolin-7-yl)-2,2-dimethylpropanamide,

(11) N-(1-heptyl-5-hydroxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,

(12) N-(1-octyl-5-hydroxymethyl-6-methylindolin-7-yl)-2,2-dimethylpropanamide, and

(13) N-(1-octyl-5-hydroxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide,]

or a pharmaceutically acceptable salt thereof.

17. (Amended) A pharmaceutical composition comprising an effective amount of a heterocyclic compound of claim [1] 11 or a pharmaceutically acceptable salt thereof.

Add new claims as follows:

20. (New) The heterocyclic compound of claim 11 wherein the compound is in the form of a pharmaceutically acceptable salt which is an acid addition salt with an acid selected from the group consisting of hydrochloric acid, sulfuric acid, phosphoric acid and nitric acid.

21. (New) The heterocyclic compound of claim 11, which is N-(1-hexyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide or its pharmaceutically acceptable salt.

22. (New) The heterocyclic compound of claim 11, which is N-(1-heptyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide or its pharmaceutically acceptable salt.

23. (New) The heterocyclic compound of claim 11, which is N-(1-octyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide or its pharmaceutically acceptable salt.

24. (New) The heterocyclic compound of claim 11, which is N-(1-nonyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide or its pharmaceutically acceptable salt.

25. (New) The heterocyclic compound of claim 11, which is N-(1-decyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide or its pharmaceutically acceptable salt.

26. (New) The heterocyclic compound of claim 11, which is N-(1-undecyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide or its pharmaceutically acceptable salt.

27. (New) The heterocyclic compound of claim 11, which is N-(1-dodecyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide or its pharmaceutically acceptable salt.

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28. (New) The heterocyclic compound of claim 11, which is a hydrochloric acid addition salt of N-(1-octyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide.

29. (New) The heterocyclic compound of claim 11, which is a sulfuric acid addition salt of N-(1-octyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide.

30. (New) The heterocyclic compound of claim 11, which is a nitric acid addition salt of N-(1-octyl-5-carboxymethyl-4,6-dimethylindolin-7-yl)-2,2-dimethylpropanamide.

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**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Patent Owner: KYOTO PHARMACEUTICAL  
INDUSTRIES, LTD.

Patentee : Shoji KAMIYA et al.

Patent No. : 6,063,806

Issue Date : May 16, 2000

Title : INDOLYL OR INDOLINYL  
DERIVATIVES AND MEDICAL  
USE THEREOF AS ACAT OR  
LIPID PEROXIDATION  
INHIBITORS

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Laraine Dobies

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

**PRELIMINARY AMENDMENT IN REISSUE APPLICATION  
AND STATEMENT UNDER 37 CFR 1.173(c)**

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S I R :

This is a PRELIMINARY AMENDMENT filed in the above-referenced Reissue Application. Please amend the claims as follows:

**IN THE CLAIMS:**

Cancel claims 1-10 and 12-16.